



RCE *[initials]*

PTO/SB/30 (08-03)

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# Request For Continued Examination (RCE) Transmittal

Address to:  
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Alexandria, VA 22313-1450

Application Number	10/071,225
Filing Date	February 11, 2002
First Named Inventor	Thomas J. Coleman et al.
Art Unit	1761
Examiner Name	Steven L. Weinstein
Attorney Docket Number	278-101P-WLK

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☐ Deposit Account No. \_\_\_\_\_

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☒ Check in the amount of \$ 395.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	William L. Klima	Registration No. (Attorney/Agent)	32,422
Signature	<i>[Signature]</i>	Date	

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature		Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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ACUPAT L.L.C.  
STAFFORD, VA

January 21, 2005

Mail Stop RCE  
Assistant Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application  
Appl. No.: 10/071,225; Filed: February 11, 2002  
For: **CANDY SUCKER**  
Inventor: Thomas J. Coleman *et al.*  
Our Ref: 278-101P-WLK

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. Request For Continued Examination (RCE) Transmittal;
2. Check No. 1043 in the amount of \$395.00
3. Return Post Card

Please date stamp the attached return filing receipt and return to us via U.S. mail.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §1.16 and §1.17(a)-(g) which may be required during the entire pendency of the application to Deposit Account No. 11-1243. If extensions of time under 37 C.F.R. §1.136 are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefore are hereby authorized to be charged to our Deposit Account No. 11-1243. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William L. Klima".

William L. Klima  
Attorney for Applicants  
Registration No. 32,422

Enclosures  
WLK:cac